04-18-02 / 1638

#3 4/23/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Application of:

Green et al.

Serial No. 09/981,124

Filing Date: October 17, 2001

Group: 1638

Examiner: Unassigned

Conformation No.: 9503



For: FATTY ACID EPOXYGENASE GENES FROM PLANTS AND USES THEREFOR IN MODIFYING FATTY ACID METABOLISM

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
Washington, DC 20231

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **Express Mail**, receipt no.: **505801523** US addressed to: The Commissioner of Patents, Washington, D.C. 20231

4/17/02
Date

J. Novella

Sir:

This application is a continuation in part of USSN 09/059,769, filed April 14, 1998, which claims benefit of priority under Title 35, U.S.C. §119 from Australian Patent Application No. P06223 filed on April 15, 1997 and Australian Patent Application No. P06226 filed on April 15, 1997, and which also claims benefit of priority under Title 35, U.S.C. §119(e) from USSN 60/043,706 filed on April 16, 1997 and from USSN 60/050,403 filed on June 20, 1997. USSN 09/059,769 issued as U.S. Patent No. 6,329,518 on December 11, 2001.

For the Examiner's convenience, a Form PTO1449 listing references cited by applicants and the Examiner in these cases are enclosed. In compliance with the duty of disclosure

set forth in 37 CFR 1.97, the Examiner is referred to the files of USSN 09/059,769 (now United States Patent No. 6,329,518) for prior art of record. In addition, please find enclosed copies of new references: numbers 1,4,5 and 17-21 as listed on Form PTO 1449.

The references and information provided herewith are cited in a spirit of forthrightness and cooperation to enable Applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of Form PTO 1449 is not an admission that all listed references are prior art. No representation is made that Applicants know of the best art.

References listed in the Form PTO 1449 submitted herewith which do not specify the month of publication have a year of publication sufficiently earlier than the effective US filing date and any foreign priority date so that the particular month of publication is not in issue.

It is believed that this submission does not require the payment of any fees. If this is incorrect, however, please charge any requisite fees to Deposit Account No. 07-1969.

Respectfully submitted,

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| Form PTO 1449 | | |
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| ATTY DOCKET NO. 26-98A | SERIAL NO. 09/981,124 | FILING DATE October 17, 2001 |
| APPLICANT Green et al. | | GROUP 1638 |

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| | 1 | 6,329,518 B1 | 12/11/01 | Green et al. | 536 | 23.6 | |
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| | 3 | WO 97/37033 | 09.10.97 | PCT | C12P | 7/64 | |
| | 4 | WO 97/37033 | 10/09/97 | PCT | C12P | 7/64 | |
| | 5 | WO 96/10074 | 04/04/96 | PCT | C12N | 5/00 | |



**OTHER PRIOR ART** (including Author, Title, Date, Pertinent Pages, etc.)

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| EXAMINER | DATE CONSIDERED |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12/20/89